

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

REPRODUCTIVE HEALTH SERVICES	)	
OF PLANNED PARENTHOOD OF THE	)	
ST. LOUIS REGION, INC., et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	03-4210-CV-C-SOW
	)	
JEREMIAH W. NIXON, et al.,	)	
	)	
Defendants.	)	

ORDER

Before the Court is plaintiffs' Motion for Preliminary Injunction Order (Doc. #76). Previously, on June 22, 2004, this Court granted plaintiffs' Motion for Preliminary Injunction. The Court stated that defendants, their employees, agents, and successors, and all others acting in concert or participating with them, were restrained from in any way enforcing Missouri Revised Statutes Section 188.039 ("Act").

On November 16, 2005, the United States Court of Appeals for the Eighth Circuit issued an opinion in defendant Nixon's appeal of this Court's June 22, 2004 Order. The Eighth Circuit ordered that the matter be remanded; that the preliminary injunction be vacated; and that a modified preliminary injunction be entered according to its opinion.

Accordingly, it is hereby

ORDERED that the June 22, 2004 Preliminary Injunction Order of this Court is vacated.  
It is further

ORDERED that defendants Jennifer Joyce, Circuit Attorney for the City of St. Louis, in her official capacity, and Kevin Crane, Prosecuting Attorney for Boone County, in his official

capacity, and their employees, agents, successors, and all others acting in concert or participating with them, are preliminarily enjoined from enforcing subsections 2, 3, and 4 of the Act, except to the extent that they require a treating physician, except in the case of a medical emergency as set forth in subsection 1 of the Act,

- (a) to inform the patient, at least 24 hours before providing an abortion, of truthful, non-misleading information of the nature of the proposed procedure and of those risks of the procedure that a reasonable patient would consider material to the decision of whether or not to undergo the abortion; and
- (b) to obtain from the patient a written statement that she received this information and that she consents to an abortion.

It is further

ORDERED that in the absence of a further order of this Court, this preliminary injunction will expire by its own terms ten days after the final judgment in the related case, Reproductive Health Services v. Nixon, No. SC86768, pending in the Supreme Court of Missouri.

/s/Scott O. Wright  
SCOTT O. WRIGHT  
Senior United States District Judge

Dated: 11-30-05